

UNITED STATES BANKRUPTCY COURT

FOR THE

EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In the Matter of:

PATRICIA LYNN EDWARDS

Debtor

Chapter 13

Case No. 11-13097-RGM

MOTION TO DISMISS,
NOTICE OF MOTION TO DISMISS
AND
NOTICE OF SCHEDULED HEARING ON THIS MOTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this motion to dismiss your Chapter 13 case. The cause for this motion is as follows:

Violation of 11 U.S.C. §1307(c)(6) - Material default by Debtor as is reflected in the attached Trustee's Report of Receipts and Disbursements.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before five business days prior to the scheduled hearing. You must mail a copy to the persons listed below.

Notice and Motion to Dismiss

Patricia Lynn Edwards, Case #11-13097-RGM

Attend the hearing to be held on September 28, 2011 at 9:30 a.m., in Courtroom #3 on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste.400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: August 15, 2011

/s/ Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of August, 2011, mailed a true copy of the foregoing Motion to Dismiss, Notice of Motion and Notice of Hearing to the following parties.

Patricia Lynn Edwards
Chapter 13 Debtor
4005 Maureen Ln.
Fairfax, VA 22033

Joe Y. Whetzel Nesari
Attorney for Debtor
Jw Law, P.C.
1110-D Eden Street, Suite 107
Herndon, VA 20170

/s/ Thomas P. Gorman
Thomas P. Gorman

CASE NO: 11-10838-RGM

STATUS: BASE PLAN

DEBTOR: XXX-XX-9786
 DAVIS JR., BERNARD WOODROW

AKA:

DATE FILED: 02/04/2011 2072 FARRAGUT DRIVE

CONFIRMED: 06/01/2011 STAFFORD, VA 22554

LATEST 341: 05/03/2011

PERCENTAGE: 5.000 ATTORNEY: WALTER L. RAGLAND, ESQ.

PO BOX 675
 THORNBURG, VA 22565
 Phone: 540 370-4800 Fax: 540 370-4903

1st PAYMENT DUE: 03/2011

Needed to Complete Base:

| | | | |
|------------------|----------|-------|-----------|
| ON SCHEDULE: | 3,661.00 | BASE: | 65,151.00 |
| ACTUAL PAYMENTS: | 200.00 | | 64,951.00 |
| AMOUNT BEHIND: | 3,461.00 | | |

SCHEDULE: 1,118.00 MONTHLY

TOTAL PAID: 200.00

LAST 12 TRANSACTIONS

| Date | Source | Amount |
|----------|--------|--------|
| 04/11/11 | MO | 200.00 |

PLAN AND FILED CLAIMS

| CLAIM NO | CRED NO | CREDITOR NAME | DISB CODE | CLASS | INT. BEGIN | FIX PAY | ORG. CLAIM | APPROVED TO BE PAID | PRIN. PAID | PRIN. DUE |
|----------|---------|--|-------------|------------|------------|----------|------------|---------------------|------------|-----------|
| | | | | | | | | | INT. PAID | INT. DUE |
| 001 | 272214 | AQUIA HARBOR HOMEOWNERS ASSOC | PRO | UNS | 5.00 | 0.00 | 731.85 | 731.85 | 0.00 | 36.59 |
| | | | | | | 0.00 | 724.71 | | 36.59 | 0.00 |
| 002 | 319751 | CITIFINANCIAL MORTGAGE | FIX 06/2011 | SEC 100.00 | | 969.07 | 54,268.19 | 54,268.19 | 180.69 | 54,087.50 |
| | | | | | | 3,695.59 | 49,583.00 | 54,268.19 | 0.00 | 0.00 |
| 003 | 256637 | CENTER FOR ORTHOPEDICS | PRO | UNS | 5.00 | 0.00 | 67.00 | | 0.00 | Not Filed |
| | | | | | | 0.00 | | 0.00 | 0.00 | |
| 004 | 323393 | CLINICAL PATHOLOGY ASSOCIATES | PRO | UNS | 5.00 | 0.00 | 66.00 | | 0.00 | Not Filed |
| | | | | | | 0.00 | | 0.00 | 0.00 | |
| 005 | 309196 | COMCAST | PRO | UNS | 5.00 | 0.00 | 868.78 | | 0.00 | Not Filed |
| | | | | | | 0.00 | | 0.00 | 0.00 | |
| 006 | LVNV | LVNV FUNDING LLC. CREDIT ONE BANK | PRO | UNS | 5.00 | 0.00 | 665.76 | 665.76 | 0.00 | 33.29 |
| | | | | | | 0.00 | 665.76 | | 33.29 | 0.00 |
| 007 | 285505 | DOMINION VIRGINIA POWER | PRO | UNS | 5.00 | 0.00 | 2,190.95 | 2,190.95 | 0.00 | 109.55 |
| | | | | | | 0.00 | 1,143.00 | 109.55 | 0.00 | 0.00 |
| 008 | 285505 | DOMINION VIRGINIA POWER FILED UNDER CLAIM #7 | PRO | UNS | 5.00 | 0.00 | 1,912.58 | | 0.00 | Not Filed |
| | | | | | | 0.00 | | 0.00 | 0.00 | |
| 009 | 323605 | FIRST NATIONAL BANK | PRO | UNS | 5.00 | 0.00 | 669.16 | | 0.00 | Not Filed |
| | | | | | | 0.00 | | 0.00 | 0.00 | |
| 010 | 292697 | PREMIER BANKCARD | PRO | UNS | 5.00 | 0.00 | 430.15 | 430.15 | 0.00 | 21.51 |
| | | | | | | 0.00 | 430.15 | 21.51 | 0.00 | 0.00 |
| 011 | 310956 | FREDERICKSBURG EMERGENCY MEDIC | PRO | UNS | 5.00 | 0.00 | | 0.00 | 0.00 | Not Filed |
| | | | | | | 0.00 | 701.00 | 0.00 | 0.00 | |
| 012 | 310956 | FREDERICKSBURG EMERGENCY MEDIC | PRO | UNS | 5.00 | 0.00 | 270.00 | | 0.00 | Not Filed |
| | | | | | | 0.00 | 270.00 | 0.00 | 0.00 | |
| 013 | 322073 | HSBC BANK NEVADA, N.A. | PRO | UNS | 5.00 | 0.00 | 1,301.07 | 1,301.07 | 0.00 | 65.05 |
| | | | | | | 0.00 | 1,280.42 | 65.05 | 0.00 | 0.00 |
| 014 | 263205 | LAB CORP | PRO | UNS | 5.00 | 0.00 | 66.00 | | 0.00 | Not Filed |
| | | | | | | 0.00 | 66.00 | 0.00 | 0.00 | |
| 015 | 263205 | LAB CORP | PRO | UNS | 5.00 | 0.00 | 167.00 | | 0.00 | Not Filed |
| | | | | | | 0.00 | 167.00 | 0.00 | 0.00 | |
| 016 | 256952 | MARY WASHINGTON HOSP | PRO | UNS | 5.00 | 0.00 | 10,265.40 | | 0.00 | Not Filed |
| | | | | | | 0.00 | 10,265.40 | 0.00 | 0.00 | |
| 017 | 248008 | RADIOLOGIC ASSOC | PRO | UNS | 5.00 | 0.00 | 560.00 | | 0.00 | Not Filed |
| | | | | | | 0.00 | 560.00 | 0.00 | 0.00 | |
| 018 | 328690 | R17 HERITAGE WAREHOUSE LLC | PRO | UNS | 5.00 | 0.00 | 15,094.00 | | 0.00 | Not Filed |
| | | | | | | 0.00 | 15,094.00 | 0.00 | 0.00 | |
| 019 | 314091 | SPRINT | PRO | UNS | 5.00 | 0.00 | 1,502.41 | | 0.00 | Not Filed |
| | | | | | | 0.00 | 1,502.41 | 0.00 | 0.00 | |
| 020 | 326823 | STAFFORD HOSPITAL CENTER | PRO | UNS | 5.00 | 0.00 | 1,704.60 | | 0.00 | Not Filed |
| | | | | | | 0.00 | 1,704.60 | 0.00 | 0.00 | |
| 021 | 328690 | R17 HERITAGE WAREHOUSE LLC DEBTOR REJECTS LEASE | PRO-I | UNS | 5.00 | 0.00 | 0.00 | | 0.00 | Closed |
| | | | | | | 0.00 | 0.00 | 0.00 | 0.00 | |
| 022 | 318258 | BRANCH BANKING & TRUST COMPANY UNLISTED | PRO-A | UNS | 5.00 | 0.00 | 239.09 | 239.09 | 0.00 | 11.95 |
| | | | | | | 0.00 | 0.00 | 11.95 | 0.00 | 0.00 |

** Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.

ToolBar 9.5

CASE NO: 11-10838-RGM

STATUS: BASE PLAN

DEBTOR: XXX-XX-9786
 DAVIS JR., BERNARD WOODROW SCHEDULE: 1,118.00 MONTHLY

PLAN AND FILED CLAIMS

| CLAIM NO | CRED NO | CREDITOR NAME | DISB CODE LAST DISB | CLASS PAY% | INT. BEGIN INT. RATE | FIX PAY ARREARS | ORG. CLAIM SCHED AMT | APPROVED TO BE PAID | PRIN. PAID INT. PAID | PRIN. DUE INT. DUE |
|-----------------------------|---------|-------------------------|---------------------|---------------|----------------------|--------------------|------------------------|------------------------|----------------------|--------------------|
| 799 | RAGLAN | WALTER L. RAGLAND, ESQ. | PRO | ATY 100.00 | | 0.00 0.00 | 3,500.00 3,500.00 | 3,500.00 3,500.00 | 0.00 0.00 | 1,800.00 0.00 |
| Trustee Administrative Fees | | | | | | | | | | |
| | | | | TOTALS: | | 969.07 3,695.59 | 63,327.06 91,240.97 | 63,336.37 58,055.44 | 190.00 0.00 | 56,165.44 0.00 |
| <hr/> | | | | | | | | | | |
| SCHEDED AMOUNT: | | ADMIN | ATTORNEY | PRIORITY | SECURED | UNSECURED | OTHER | | | |
| CLAIM AMOUNT: | | | | | 0.00 | 49,583.00 | 38,157.97 | 0.00 | | |
| PAID BY TRUSTEE: | | | | | 0.00 | 54,268.19 | 277.94 | 0.00 | | |
| PAID BY 3rd PARTY: | | | | | 0.00 | 180.69 | 0.00 | 0.00 | | |
| <hr/> | | | | | | | | | | |
| SUB TOTAL: | | 0.00 | 1,800.00 | | 0.00 | 54,087.50 | 277.94 | 0.00 | DUE CREDITORS: | 56,165.44 |
| INTEREST DUE: | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | EXPECTED ADMIN: | 2,893.91 |
| CONTINUING: | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | LESS AVAILABLE: | 10.00 |
| <hr/> | | | | | | | | | | |
| BALANCE DUE: | | 0.00 | 1,800.00 | | 0.00 | 54,087.50 | 277.94 | 0.00 | APPROX BALANCE: | 59,049.35 |

** Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.

ToolBar 9.5